



United States Department of the Interior

BUREAU OF LAND MANAGEMENT HOUSE RANGE/WARM SPRINGS RESOURCE AREA

35 East 500 North
Fillmore, UT 84631



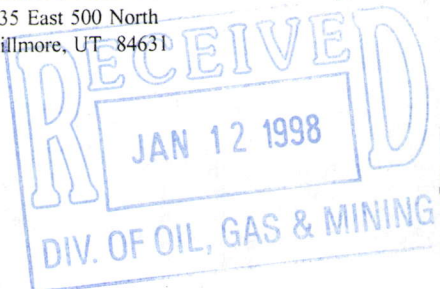
IN REPLY REFER TO:
3809

(U-055)

UTU-075852

January 8, 1998

CERTIFIED MAIL # Z 777 473 819
RETURN RECEIPT REQUESTED



DECISION

EDWARD HARRIS
466 W 400 N
DELTA UT 84624

:
: 43 CFR §3809
: SURFACE MANAGEMENT
: NOTICE OF NONCOMPLIANCE

Notice for Failure to Complete Required Reclamation Work

You submitted an incomplete Notice under the 43 CFR 3809 regulations December 18, 1997. This was 3 days past the verbal extension you were granted on December 1, 1997. December 23, 1997, during a telephone conversation with Sheri Wysong of this office, you were informed that your Notice was incomplete because the back side of the form that you chose to use was blank, nor did you provide the required information in an alternative format. During the telephone conversation you were informed of a certified letter mailed on December 17, 1997 extending your deadline to January 7, 1998 that included a complete copy of the Notice or Plan of Operations Form. That letter was returned to this office January 7, 1998 as unclaimed/refused after delivery attempts on December 18, 1997 and December 26, 1997.

Your operations are in violation of and in noncompliance with the following Federal regulations:

1. 43 CFR §3809.1-3(a) requires that all operators on project areas involving Federal lands, causing a cumulative disturbance of 5 acres or less, file a notice with the authorized officer (AO) of the Bureau of Land Management at least 15 calendar days before commencing operations.

To bring your operations under compliance with Federal regulations, you must, within ten (10) days of receipt of this Notice of Noncompliance:

1. File a complete Notice with the AO. A copy of the optional use form is included for your convenience.

OR

2. Commence reclamation activities on the disturbances created by you. Said reclamation is to be completed no later than 20 days after commencement. Upon application to the AO, the

AO may extend the commencement or completion deadlines due to inclement weather.

Should you fail to comply with the requirements that have been detailed above within the required time frame, you will be considered to have established a Record of Noncompliance and during the duration of a Record of Noncompliance, a Plan will be required for all mining related activities on the Public Lands, including those of 5 acres or less, that presently require only a notice and a minimum \$1,000/acre bond. Those activities requiring a Plan will require a minimum \$2,000/acre bond. During the duration of a Record of Noncompliance, the bond must be held solely by the BLM, and double-bonding with the State may be required.

In accordance with 43 CFR §3809.4, you have the right of appeal to the Utah State Director. Direct correspondence to:

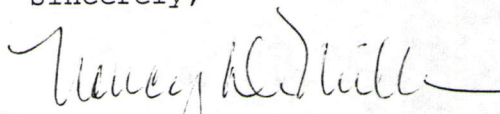
Utah State Director
Bureau of Land Management
P.O. Box 45155
Salt Lake City, Utah 84145-0155.

If you exercise this right, your appeal must be accompanied by:

1. The name and address of the appellant,
2. The name and serial numbers of any involved mining claims, and
3. A statement of reasons for the appeal and any arguments you wish to present, which would justify reversal or modification to this decision.

Your appeal must be filed in writing at this office within thirty (30) days after you receive this decision. This decision will remain in effect during the appeal unless a written request for a stay is granted.

Sincerely,



ACTING Rex Rowley
Area Manager

Enclosure: Notice or Plan of Operations Form (2 p.)

cc: U-911
U-921
U-050
U-024

D. Wayne Hedberg, UDOGM (E/027/033) Wrong #